

17u GP1646

Practitioner's Docket No. 701039-55264

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Judah Folkman et al.

Application No.:	10/535,746	Group No.:	1646
Filed:	May 20, 2005	Examiner:	To be assigned
Confirmation No.:	9640	Customer No.:	50828
For:	PLATELET BIOMARKERS FOR THE DETECTION OF DISEASE		

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2. Transmittal Form (1 pg.);
3. Information Disclosure Statement with Form PTO/SB/08a and b (4 pp.);
4. International Search Report (2 pp.); and
5. Copy of References A1 and C1-C4.

is on the date shown below being:

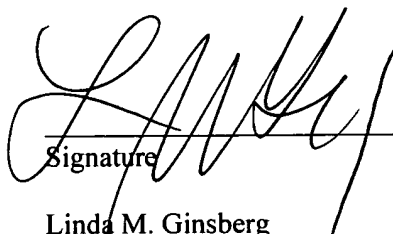
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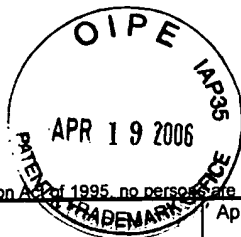
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PTO/SB/21 (09-04)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/535,746
Filing Date	May 20, 2005
First Named Inventor	Judah Folkman
Art Unit	1646
Examiner Name	To be assigned
Attorney Docket Number	701039-55264

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Certificate of Mailing; COPY-International Search Report; and COPY-References A1 and C1-C4
Remarks The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment to the Nixon Peabody LLP Deposit Account No. 50-0850.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Nixon Peabody LLP, 100 Summer Street, Boston, MA 02110		
Signature	<i>J. Amelia Feulner</i>		
Printed name	David S. Resnick/J. Amelia Feulner		
Date	4/13/06	Reg. No.	34,235/58,039

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	<i>Linda M. Ginsberg</i>		
Typed or printed name	Linda M. Ginsberg	Date	April 13, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Judah Folkman et al.

Application No.: 10/535,746 Group No.: 1646
Filed: May 20, 2005 Examiner: To be assigned
Confirmation No.: 9640 Customer No.: 50828
For: PLATELET BIOMARKERS FOR THE DETECTION OF DISEASE



MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

INFORMATION DISCLOSURE STATEMENT

In accordance with the provisions of 37 C.F.R. §1.56, 1.97, and 1.98, Applicants wish to bring to the Examiner's attention the following references, References A1 and C1-C4 cited in the attached Form PTO/SB/08 a and b.

REMARKS

In accordance with the provisions of 37 C.F.R. §1.97, this statement is being filed:

- x (1) within three (3) months of the Filing Date or **before the mailing date of the First Office Action** on the merits; or
- x (2) within three months of the mailing date of the PCT International Search Report; or
- (3) after the period defined in (1) but before the mailing date of a **Final Rejection** or **Notice of Allowance**, and the requisite Certification or fee under Rule 1.17(p), namely **\$180.00**, is included herein; or
- (4) after the mailing date of a **Final Rejection** or **Notice of Allowance** but before the payment of the **Issue Fee**, and the requisite Certification, petition, and petition fee are included herein.

 X A copy of the International Search Report is enclosed herewith.

It is respectfully requested that each of the documents shown on the attached form(s) PTO/SB/08a and b be made of record in this application.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Judah Folkman et al.

Application No.:	10/535,746	Group No.:	1646
Filed:	May 20, 2005	Examiner:	To be assigned
Confirmation No.:	9640	Customer No.:	50828
For:	PLATELET BIOMARKERS FOR THE DETECTION OF DISEASE		

Copies of these documents (CHECK ONE):

- X are enclosed herewith that have not been previously submitted; or
- _____ have been cited in the parent application, and are thus not being resubmitted herein.
- _____ Pursuant to 37 C.F.R. §1.98, copies of issued U.S. patents listed on the attached form PTO/SB/08, if any, are no longer required and therefore are not enclosed. These documents can be found in the U.S. PTO issued patents database.

COMMENTS

We have investigated the date reference C1 was received by the Harvard Countway Library of Medicine. It was received on July 19, 2004, and stamped "received." A copy of this stamped page is attached to the reference.


Please also find attached an email from the publisher indicating a publication date of June 2, 2004.

FEE AUTHORIZATION

The Commissioner is authorized to charge fee deficiencies or credit overpayments associated with this submission to the NIXON PEABODY LLP Deposit Account No. 50-0850.

Date: April 13, 2006

Respectfully submitted,



David S. Resnick (Reg. No. 34,235)
J. Amelia Feulner (Reg. No. 58,039)
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Boston, MA 02110
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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/535,746
				Filing Date	May 20, 2005
				First Named Inventor	Judah Folkman
				Art Unit	1646
				Examiner Name	To be assigned
Sheet	2	of	2	Attorney Docket Number	701039-55264

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials [*]	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	C1	CAINE, Graham J. et al.; Annals of Medicine; 36:273-277 (June 2, 2004)	
	C2	CLAFFEY, Kevin P.; American Journal of Pathology; 161(1):7-11 (July 2002)	
	C3	NADAR, S.K. et al.; Journal of Internal Medicine; 256:331-337 (2004)	
	C4	SALGADO, Roberto et al.; Angiogenesis; 4:37-43 (2001)	

Examiner Signature		Date Considered	
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^{*} EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.